

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

see form PCT/ISA/220		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. PCT/IB2004/002550	International filing date (day/month/year) 02.08.2004	Priority date (day/month/year) 07.08.2003
International Patent Classification (IPC) or both national classification and IPC B01J2/00, B01D46/24		
Applicant I.M.A. INDUSTRIA MACCHINE AUTOMATICHE S.P.A.		

**1. This opinion contains indications relating to the following items:**

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



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**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material:
    - in written format
    - in computer readable form
  - c. time of filing/furnishing:
    - contained in the international application as filed.
    - filed together with the international application in computer readable form.
    - furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITYInternational application No.  
PCT/IB2004/002550

IAP20 Rec'd PCT/PTO 03 FEB 2006

## Box No. II Priority

1.  The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).  
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2.  This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Yes: Claims	1-15
	No: Claims	

Inventive step (IS)	Yes: Claims	
	No: Claims	1-15

Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

## 2. Citations and explanations

see separate sheet

V.

1. Reference is made to the following document:

D1= JP5049902A

D2= US3620234A

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

D1 discloses a granulator comprising a set of filters (5) which project into the granulating chamber and means (20, 26, 32) for removing powder from the walls of the filters, where the said means comprise nozzles which are rotatable and movable vertically along the length of the filters.

The differences between the subject-matter of claim 1 and D1 are:

- in claim 1 the filter comprises a multi-layer filtering wall
- in claim 1 a plurality of nozzles are fitted to an arm, while in D1 each nozzle is separately supported

There is no evidence that these differences contribute to the solution of the problem addressed by the present application, which is the provision of a granulator device of simple and inexpensive construction in which the operations for removing powder from and washing the filtering means can be performed with great efficiency and speed. Therefore, these differences are not considered in an evaluation of inventive step. Furthermore, the use of multi-layer filters in granulator devices is acknowledged by the applicant to be known in the prior art, while the use of a plurality of nozzles fitted to one arm for cleaning filters is also known (see, for example, D2 column 2, line 16 - column 3, line 17).

3. The features of claims 2-5 and 7 are known from D1 (with the exception of the plurality of nozzles connected to one arm, as discussed for claim 1). The features of claims 10 and 11 are known from D1. There is no evidence that the features of claims 6, 8, 9 and 12-15 contribute to the solution of the problem addressed by

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AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IB2004/002550

the present application, which is the provision of a granulator device of simple and inexpensive construction in which the operations for removing powder from and washing the filtering means can be performed with great efficiency and speed. Therefore, these features are not considered to contribute in an evaluation of inventive step.

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